

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN MOULTRIE, n/k/a
MUJAHID LATIF,

Petitioner,

Case No. 09-11543
HON. GEORGE CARAM STEEH

vs.

DEBRA SCUTT,

Respondent.

ORDER DENYING PETITIONER'S MOTION FOR PERMISSION TO APPEAL *IN*
FORMA PAUPERIS

Before the court is petitioner's motion for permission to appeal *in forma pauperis*, filed on November 4, 2010.

On September 15, 2010, this court accepted and adopted the magistrate judge's report and recommendation, denied petitioner's petition for a writ of habeas corpus, denied the issuance of a certificate of appealability, and denied petitioner leave to proceed *in forma pauperis* on appeal. See Dkt. No. 15. On October 6, 2010, this court denied petitioner's motion for relief from judgment. See Dkt. No. 18. On October 15, 2010, petitioner filed a notice of appeal. See Dkt. No. 19.

On April 29, 2011, the United States Court of Appeals for the Sixth Circuit issued an order denying petitioner's motion for a certificate of appealability and denied as moot

petitioner's motion to proceed in forma pauperis on appeal.

Accordingly,

Petitioner's motion for permission to appeal *in forma pauperis* is denied as moot.

SO ORDERED.

Dated: May 9, 2011

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of
record on
May 9, 2011, by electronic and/or ordinary mail.

S/Josephine Chaffee
Deputy Clerk